DEPARTMENT OF THE NAVY
NAVAL RESERVE READINESS COMMAND REGION TWENTY TWO
BUILDING 2102, NAVAL STATION
EVERETT, WASHINGTON 98207-2600

NAVRESREDCOMREG22INST 5090.1A
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NAVRESREDCOM REG TWO TWO INSTRUCTION 5090.1A

Subj: ENVIRONMENTAL CONTROL AT NAVAL RESERVE ACTIVITIES

Ref: (a) OPNAVINST 5090.1B
(b) COMNAVRESFORINST 5090.1
(c) NFESC 8-031B (Regulatory Requirements for Pollution Abatement at Naval Shore Facilities) of Aug 88
(d) NAVFACINST 6240.3A

Encl: (1) Pollution Abatement/Hazardous Material Management Guide
(2) List of Environmental Instructions and Publications
(3) Activity Environmental Checklist
(4) Partial List of Services Provided by EFD/EFA

1. Purpose. To provide guidelines for administering environmental control procedures at Naval Reserve Activities within Readiness Command Twenty-two.

2. Cancellation. NAVRESREDCOMREG22INST 5090.1

3. Background. Changes to this instruction are so extensive as to require a complete review. References (a) and (b) provide guidance to Commanding Officers (CO) on specific responsibilities for administering the Navy Program which protects the environment and conserves natural resources. This instruction ensures maximum compliance with local, state, and federal environmental standards through coordination with the cognizant Naval Facilities Engineering Activity (EFA). The regulatory requirements for pollution abatement at Naval Shore Facilities are summarized in reference (c).

4. Discussion. Federal Environmental Regulations are voluminous, generating a multitude of state and local laws and regulations, which in some cases diverge from Federal statutes. Federal Environmental Laws specifically allow states to exercise administrative authority over Federal Facilities even to the extent of prosecution of its officers, agents, or employees of the Federal Government in state or local courts for infractions of state and local environmental standards.

a. The requirements outlined in references (a) through (d) are based on Federal laws which are implemented through the Code of Federal Regulations (CFR). This instruction provides the CO with a guide for typical environmental issues. Naval Reserve Activities (NRA's) that are tenants on a host installation are responsible for keeping abreast of current environmental regulations. Due to the limited impact that tenant activities have on environmental quality, most regulations involving monitoring or resource control may not be applicable; however, there are a variety of areas that must be reviewed and monitored to ensure compliance. Tenant activities will use this instruction as guidance to help them understand and conform with the Navy Environmental Protection Program of the base host.

b. Enclosure (1) is a general guide to environmental issues most often found at NRA's. The instructions in enclosure (2) give specific reporting requirements for each issue. Enclosure (3) is provided as an inspection checklist to provide commands a quick way to evaluate their environmental program and ensure compliance with current regulations.

c. Technical assistance on all matters relating to environmental protection is available from the Director of Facilities West (DIRFAC West) and EFA, including laboratory sampling and testing services. Enclosure (4) is a partial list of reimbursable services that the EFA provides. The CO must contact REDCOM 22 (N8) and DIRFAC for approval and funding.

4. Action. Reserve Activity CO's will:

a. Provide personal attention to problem areas related to environmental control at their Activity.

b. Designate an Officer (Chief Petty Officer or Petty Officer) in writing to manage and coordinate all environmental programs at the Activity.

c. Maintain a current and complete file of applicable environmental instructions.

d. Conduct an annual Environmental Compliance Evaluation, ECE-I, based on a checklist-provided by DIRFAC West. Additionally, CO's will participate in a major claimant level Triennial ECE-II Environmental Compliance Evaluation scheduled by DIRFAC West.

e. Ensure tenants comply with and enforce an on-going environmental program.

f. Notify REDCOM 22 (N4) and DIRFAC West promptly of all environmentally related issues involving local, state, or Federal environmental authorities.

g. Upon identification of an environmental deficiency, notify DIRFAC West and initiate appropriate corrective action.

h. Immediately phone DIRFAC West and cognizant EFA upon receipt of a Notice of Violation or Notice of Non-Compliance by Federal, state, or local authorities (see message requirements in reference (a)).

i. For those Activities that generate or collect waste, develop local instructions for handling/disposal of known hazardous waste or actively participate in the Host Hazardous Waste Program.

5. Forms. Individual Report forms can be obtained from the Naval Facilities Engineering Service Center, Port Hueneme, California 93043.

6. Reports. Reserve Activity CO's are responsible for submitting the following reports:

a. The Hazardous Waste Annual Report (Report Symbol DD-M(A7SA) 1485(5090)).

b. The Hazardous Substance Release Report (Report Symbol OPNAV 5090-3).

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Distribution:
NAVRESREDCOMREG22INST 5216.1J
LIST B

STOCKED:
NAVRESREDCOM REG TWO TWO (N01A)

# POLLUTION ABATEMENT/HAZARDOUS MATERIAL MANAGEMENT GUIDE

Ref: (a) NFESC 7-029 (Oil Spill Contingency Planning Manual, Part 1)
(b) OPNAVINST 5090.1
(c) NFESC 20.2-029A (Vols. I - III)
(d) NFESC 20.2-028B
(e) DRMO 6050.1 (Environmental Considerations in the DRMO Disposal Process)

1. Pollution Abatement Programs

a. Air Pollution Abatement

(1) Open Burning. Comply with state and other local regulations when open burning is required.

(2) Asbestos. See Section II, paragraph F, of this enclosure.

(3) Tactical Vehicle Exemption. Tracked vehicles of inordinate size, or vehicles with features ordinarily associated with military combat or tactical purposes are not subject to Environmental Protection Agency (EPA) established emission standards.

b. Noise abatement. Each Activity is responsible for implementing procedures to limit noisy on-base operations and reduce property line noise levels as required by local laws.

c. Pesticide Pollution Abatement Ashore. All pesticides must have EPA registration numbers on their labels. Only personnel certified per the "Department of Defense (DOD) Plan for Certification of Pesticide Applicators" will select and apply pesticides. Pesticides are hazardous materials and must be stored and disposed of accordingly. See Section II of this enclosure for guidance on hazardous materials.

d. Oil Pollution Abatement.

(1) Spill Prevention and Control. A spill Prevention Control and Countermeasures Plan is **not** required if an Activity:

(a) Has a total unburied oil storage capacity of 1,320 gallons or less and no single container capacity exceeding 660 gallons.

(b) Has a total underground storage capacity of 42,000 gallons or less.

(c) Cannot be expected to discharge oil into navigable waters of the United States or adjoining shorelines due to Activity location. Reference (a) contains guidance on preparing a Spill Prevention Contingency Countermeasure Plan.

(2) Used Petroleum Management. The conservation, recovery, and re-use of waste oils, solvents, and propulsion fuels are of particular concern to the Navy. Every effort must be made to recycle these materials. The Naval Supply System Command provides technical and administrative guidance for collection, storage, reclaiming, and re-use of used petroleum. Reference (b) authorizes commands to sell recyclable material through the Defense Reutilization and Marketing Office (DRMO) only after determining that the material is excess to the Navy's needs. Commands must contact the nearest Naval Supply Center/Naval Support Office or Fleet Fuel Terminal for help in recycling contaminated fuel prior to giving material to DRMO for disposal. Arrangements for transfer can be made through the local Public Works Department, Public Works Center, or EFA. It's important that different types of waste petroleum products, such as lube oil, solvents, and hydraulic fluid, are segregated to preserve maximum value for recycling/reclamation.

2. Hazardous Materials Management

a. Definition. Hazardous material is any material, which because of its quantity, concentration, physical, chemical, or infectious characteristics, may pose a substantial hazard to human health or the environment if released or spilled.

b. Background.

(1) The Resource Conservation and Recovery Act established a comprehensive "cradle-to-grave" approach to ensure proper disposal of hazardous wastes. Implementing regulations define "hazardous waste," impose requirements on generators, transporters, treaters, stores, and disposers, and encourage individual states to establish programs in lieu of the Federal program.

(2) The Comprehensive Environmental Response, Compensation and Liability Act established a national program to identify old disposal sites and clean them up. This Act is also known as "Superfund."

(3) The above regulations are complex, and the Navy is required to meet these regulations and implement state programs. The Navy's Hazardous Materials Environmental Management Program blends overlapping Federal regulations and DOD policies into a cohesive Activity program (reference (b), Chapter 12). Local Naval Facility (NAVFAC) EFA Environmental Divisions can provide further guidance.

c. Hazardous Wastes Management Plan. Each Activity that generates hazardous wastes (HW) in quantities greater than 27.5 gallons or 100 kilograms per month must develop a management plan. Per reference (d), this plan must identify HW generated and handled by the facility, determine applicable Federal, state, and local requirements, and describe the system for handling and disposing of the HW. Reference (c) is the Naval Facilities Engineering Service Center (NFESC) guide for developing an HW Management Plan. The plan should include all required operational procedures, regulatory deadlines, facility requirements, personnel training, annual Navy reports, and mandated plans for waste analysis, inspections, closures, and contingencies. The Chief of Naval Operations requires all activities, large and small, to prepare these plans. EFA's provide technical assistance and review these plans by means of an Environmental Compliance Assessment Evaluation (ECAE). Activities are to provide copies of the final surveys and plans to the cognizant NAVFAC EFA, DIRFAC West, Activity major claimant, environmental coordinators, and NFESC.

d. Polychlorinated Biphenyls (PCBs). This hazardous material requires special management. PCBs are toxic chemicals belonging to the Chlorinated Hydrocarbon family. Since PCBs have excellent dielectric characteristics, low flammability, and high stability, they have widespread uses as fluids in electrical equipment. Since PCBs can also bioaccumulate, causing health and environmental problems, Congress has dictated that they be controlled. Activities must identify PCB equipment with special labels. All equipment containing PCB must be inspected every three months for leaks. If the equipment is in food or feed areas, weekly inspections are required. Records must be maintained for an accurate inventory. Leaks that are discovered must be repaired promptly; action must be commenced within two days. Navy-owned PCB transformers will not be located within 30 meters of Navy buildings.

(1) PCB Spills. A spill of a reportable quantity (10 lbs.) of PCB, as specified in 40 CFR 117, must be reported per paragraph 13302b of reference (b).

(2) PCB Disposal. The Defense Logistics Agency disposes of DOD PCBs. Activities with PCBs should contact their EFA or DRMO for assistance procedures in transferring PCBs to DRMO.

(3) Navy Guidance. Reference (d), the PCB Program Management Guide is available from NFESC.

(4) PCB Inventory. Where equipment or containers are found or known to exist containing PCBs, an inventory is to be completed per Appendix G of reference (b).

e. Underground Storage Tanks. The Hazardous and Solid Waste Amendments of 1984 to the Federal Resource Conservation and Recovery Act requires all owners of underground storage tanks to notify the designated state or local agency of the age, size, type, location, and uses of such tanks. All Navy and Marine Corps Activities had to register their underground storage tanks with the state by October 1985. Commands should contact DIRFAC West for detailed guidance on new requirements for installing new tanks, monitoring, and testing of existing tanks, and proper closure or removal of abandoned tanks.

f. Asbestos Removal. The Navy Occupational Safety and Health Deficiency Abatement Program provides limited central funding for corrective action for spray applied friable asbestos insulation and asbestos pipe lagging in buildings. Contact DIRFAC West to get a certified evaluation of air-borne concentrations and suggestions for the most cost-effective corrective action. Any work on or around asbestos requires permits from the EPA or state authorities.

g. Battery Disposal. Batteries are normally disposed of through the local DRMO. Batteries turned into DRMO should be non-leaking and safe to handle, or packed in containers of this nature.

h. Hazardous Substance Release/Spills. Activities that store, use, or transport reportable hazardous substances in quantities (as defined in paragraphs 1330a(3) and (4) of reference (b)) that could cause health and environmental effects must develop a spill contingency plan per reference (a). Report releases or spills of such material to the National Response Center (NRC) and to DIRFAC West, by message per Appendix I of reference (b), or by telephone (800-424-8802), and later confirm by message to NRC.

Report Symbol OPNAV 5090-3 refers. Coordinate Activity contingency plans, and designate necessary equipment and training of personnel.

i. Navy Hazardous Waste Annual Report. All Navy Shore Activities that generate, store, treat, and/or dispose of HW, and are subject to local, state, or Federal HW regulations, will prepare an annual report (calendar year basis) utilizing OPNAV 5090/2 (Hazardous Waste Annual Report). The annual report will be mailed by 1 February to NFESC with a copy to DIRFAC West. The report must be completed each calendar year by all Navy and Marine Corps Shore Activities for which either or both of the following situations are true:

(1) Activities regulated by the U.S. EPA (including Puerto Rico and Guam) that hold an owner's or operator's waste identification number for HW generation, treatment, storage, recycling, or disposal of HW.

(2) Activities that generate or accumulate 100 kg or more per month of HW, or 1 kg or more acute HW per month.

j. The DOD Installation Restoration Program. Even though a Navy Activity complies with hazardous material regulations, there may be an old site where hazardous materials have been disposed and contamination could spread. DOD established the Installation Restoration Program for identifying, investigating, and cleaning past disposal sites on DOD property. The program has three distinct phases. During an Initial Assessment Study, records and interviews with employees are used to identify potential problems. When warranted, a Remedial Investigation/Feasibility Study is performed to collect and analyze environmental samples and determine if pollutants are migrating and could cause harm. The last phase involves corrective projects to contain or clean-up the source of pollution. This program has been underway since 1980 and uses pollution abatement funds to accomplish all phases of the program. An Activity for which a Preliminary Assessment/Site Inspection has not been performed and which suspects old waste sites may exist should contact its geographic EFA for assistance.

# LIST OF ENVIRONMENTAL INSTRUCTIONS AND PUBLICATIONS

1. General

a. OPNAVINST 5090.1B (Environmental Protection Manual) 4

2. Pollution Abatement

a. NAVFACINST 6240.3A (Department of the Navy Pollution Control Reports; Responsibility and Guidance on Reporting)

b. NFESC 8-031B, Aug 1988 (Regulatory Requirements for Pollution Abatement at Naval Shore Facilities)

c. NFESC 70.2-005 (A Guide to Establish Asbestos Operations and Maintenance Programs at Naval Shore Facilities)

3. Hazardous Materials

a. NESO 20.2-24B (Navy Hazardous Materials Environmental Management Guide)

b. NFESC 7-029 (Oil Spill Contingency Planning Manual Parts I and II)

c. NFESC 7-030 (Oil Spill Prevention Control Countermeasures Planning Manual)

d. NFESC 20.2-028B (PCB Program Management Guide)

e. EPA Rev. Ed. No. 3 (The PCB Regulations under BCA)

f. SOUTHNAVFACENGCOMINST 5090.1A (Polychlorinated Biphenyls)

g. SOUTHNAVFACENGCOMINST 6240.5D (Reporting and Operational requirements for Hazardous Air Pollutants: Asbestos and Beryllium)

h. COMNAVFACENGCOM ltr of 13 Sep 1988 (Environmental Protection Agency Final Rules on Polychlorinated Biphenyls)

4. Hazardous Waste

a. NEESA 20.20-29A, Vol I-III (Hazardous Waste Management Planning Guide)

b. NESO 20.2-011 (NEPSS Hazardous Waste Disposal Guide)

c. Military Handbook 1005/13 (Hazardous Waste Management Regulations)

d. NEESA 15-023B (Hazardous Waste Annual Report Guide)

5. Installation Restoration

a. COMNAVFACENGCOM Navy Installation Restoration Manual of May 1988

b. CNO ltr of 26 May 1988 (Navy Installation Restoration Requirements and Procedures)

6. Environmental Compliance

a. COMNAVFACENGCOM Navy Commanding Officers Guide to Environmental Compliance of January 1991, prepared by NEESA.

ACTIVITY ENVIRONMENTAL CHECKLIST

1. Does my activity use or produce any Hazardous Materials (HM) or Hazardous Waste (HW)?

2. If activity does use or produce HM/HW, is the activity (See NOTE 1):

a. A conditionally exempt generator (less than 27.5 gallons or 100 kilograms (kg/month))?

b. A small quantity generator (generating between 100 and 1,000 kg/month)?

c. An HW generator (generating more than 100 kg/month)?

3. Are used oil/solvents and/or HW being collected in segregated waste containers that are kept closed and properly labeled?

4. If required, does the command have a Spill Prevention Control and counter measures (SPCC) Plan?

5. Are used oil/solvents and/or HW properly disposed of by:

a. First contacting local Naval Supply Center/Naval Support Officer (NSC/NSO) or Fleet Fuel Terminal for recycling?

b. Turning into Defense Reutilization and Marketing Office (DRMO)?

c. Selling to a processor/vendor?

d. Turning over to a qualified (permitted) agent or contractor?

e. Retaining manifests for three years showing final disposition of HW?

6. Has the EFA conducted a Hazardous Waste Compliance Assessment for the Activity?

7. Do all pesticides have EPA registration numbers and labels?

a. Are they applied by certified personnel?

8. Has action been taken to correct all known deficiencies identified above?

9. Has the command taken steps to reduce the amount of HW generated, to a reasonable minimum, by the following means:

a. Process change?

b. Substitution of less HM?

c. Recycling (in-house or through outside agency)?

d. Identification and strict supply control of HM?

10. Are there any known friable asbestos hazards in spaces occupied by personnel in the facility? If so, has adequate action been taken to:

a. Reduce the exposure hazard in the interim until it is removed or encapsulated?

b. Submit a project by way of an Occupation Control Report (OCR) Exhibit, per NAVFACINST 5100.14?

11. Notify DIRFAC West of any PCB transformers anywhere on the activity.

12. For host Activities: Have accountability controls been imposed on tenants to comply with environmental protection requirements?

13. Are all transformers properly labeled?

14. For Activities generating over 100 kg/month of HW:

a. Are actions being taken to resolve all deficiencies in the current HW Annual Report?

b. Are all required environmental permits current?

c. Are personnel training records maintained showing job titles, job descriptions, training received, and annual training reviews?

15. Are there underground storage tanks on site?

a. Are they registered with the state?

b. Is there a plan for their abandonment or continued use which meets state and Federal requirements?

16. Are batteries being properly disposed of through the local DRMO?

NOTE 1 - CONVERSION CONSTANTS:

| | |
|---|---|
| 1 kg = | 2.2 pounds |
| 100 kg = | 220 pounds or 27.5 gallons (water) or 1/2 barrel |
| 1000 kg = | 2200 pounds of 275 gallons (water) or 5 barrels |
| 1 pound = | 0.45 kg |
| 1 gallon = | 8 pounds or 3.6 kg (water) |
| 1 gallon = | 6 pounds or 2.7 kg (solvent or fuel) |
| 1-55 gal drum = | 198 kg or 440 pounds (water) |
| 1-55 gal drum = | 150 kg or 330 pounds (solvent or fuel) |

PARTIAL LIST OF SERVICES PROVIDED BY EFD/EFA'S
MISSION FUNDED CODE PRODUCTS AND SERVICES

Certain products and services are centrally funded to NAVFACENGCOM by OPNAV. NAVFACENGCOM requires and defends resource requirements during the PPBS cycle. All EFD/EFAs will provide these products and services from their mission management funds:

1. Provide consultation and assistance relative to cultural resources (eg: Archaeology, Historic Preservation)

2. Provide Intergovernmental Coordination support (Federal/State/County/City)

3. Provide consultation and assistance on required National Environmental Policy Act (NEPA) documentation.

4. Assist and guide in the conservation, management, and use of natural resources.

5. Conduct Activity environmental audits and compliance assessments.

6. Assist Activities with the management and minimization of hazardous waste.

7. Assist Activities with environmental compliance and coordination with regulatory agencies.

8. Applied biology and pest control.

9. Conduct Activity sponsored special planning studies.

10. Provide engineer consult and survey (CONSULTATION) 4 WORK HOURS: AIRFIELD, FIRE PROTECTION, SEISKIC, PHYSICAL SECURITY, SURVEYS).

11. Engineer Service Requests (ESRs) for follow on studies at existing facilities.

12. NEPA documentation, LUC, History/Archeology documentation, and study preparation.